

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Mi Familia Vota, et al.,
Plaintiffs,

v.

Adrian Fontes, in his official capacity as
Arizona Secretary of State, et al.,
Defendants.

No. CV-22-00509-PHX-SRB

ORDER

AND CONSOLIDATED CASES

On November 7, 2022, the Tohono O’odham Nation, Gila River Indian Community, and individuals Keanu Stevens, Alanna Siquieros, and LaDonna Jacket (collectively, “Plaintiffs”) filed a Complaint in this Court. (Doc. 1, 22-cv-1901, Compl.) Their Complaint attacked the legality of an Arizona law, H.B. 2492. (*See generally id.*) Prior to November 7, 2022, several nonprofit organizations and the United States also filed lawsuits challenging the legality of H.B. 2492 under the same legal theories advanced by Plaintiffs. (*See* Doc. 164, 11/10/2022 Order at 3–5; *see generally* Doc. 304, 02/16/2023 Order.) All these lawsuits were consolidated before this Court (“Consolidated Case”).¹ (*See* 11/10/2022 Order.) On September 16, 2022, Defendants State of Arizona and the Arizona Attorney General (collectively, “Defendants”) moved to dismiss the

¹ Plaintiffs filed an Amended Complaint on December 9, 2022. (Doc. 21, 22-cv-1901, Amended Compl.) Plaintiffs’ lawsuit was consolidated into the Consolidated Case on December 23, 2022. (Doc. 29, 22-cv-1901, 12/23/2022 Order.)


1 Consolidated Case (“Consolidated Motion”). (Doc. 127, Consolidated Mot.) On February
2 16, 2023, the Court declined to dismiss all but one of the claims made in the Consolidated
3 Case. (*See* 02/16/2023 Order at 35.)

4 On December 27, 2022, Defendants moved to dismiss Plaintiffs’ Amended
5 Complaint (“Tohono O’odham Motion”). (Doc. 197, Mot.) Plaintiffs filed their Response
6 on February 9, 2023, to which Defendants replied on March 10, 2023. (Doc. 267, Resp.
7 to Mot.; Doc. 314, Reply.) In Reply, Defendants conceded that “[b]ecause the [Tohono
8 O’odham] Motion incorporates arguments from th[e] Consolidated Motion, the Court’s
9 February 16, 2023 ruling effectively disposes of the [Tohono O’odham] Motion, as well.”
10 (Reply at 2.) The Court agrees that the 02/16/2023 Order “effectively denies and
11 otherwise undercuts the grounds for dismissal identified in” the Tohono O’odham
12 Motion. (*See id.* at 3.)

13 **IT IS ORDERED** denying Defendants State of Arizona and the Arizona Attorney
14 General’s Motion to Dismiss (Doc. 197).

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16 Dated this 15th day of March, 2023.

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Susan R. Bolton
United States District Judge